

**ENTERED**

December 25, 2018

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
LAREDO DIVISION

UNITED STATES OF AMERICA

§

VS.

§

CRIMINAL ACTION NO. 5:18-CR-722

JUAN ENRIQUE URQUIZO

§

§

**ORDER**

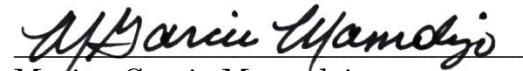
On September 28, 2018, Defendant was indicted for one count of conspiring to transport undocumented aliens and two counts of transporting undocumented aliens in violation of 8 U.S.C. §§ 1324(a)(1)(A)(ii), (v)(I), and (v)(II). (Dkt. No. 21 at 1–2). On October 18, 2018, Defendant filed a Motion to Suppress Statements (Dkt. No. 30), arguing that the Border Patrol Agent did not have the reasonable suspicion necessary to conduct a roving border patrol stop. (Dkt. No. 30 at 3).

United States Magistrate Judge Sam Sheldon conducted an evidentiary hearing on November 8, 2018. After consideration of the matter, the Magistrate Judge made findings, conclusions, and a recommendation in this case. (Dkt. No. 38). The Magistrate Judge concluded that the Border Patrol Agent had reasonable suspicion to conduct a roving border patrol stop. (*Id.* at 6–17). Accordingly, U.S. Magistrate Judge Sam Sheldon issued a Report and Recommendation in accordance with 28 U.S.C. § 636(b)(1) recommending that Defendant's Motion to Suppress Statements (Dkt. No. 30) be denied. (Dkt. No. 38). If there are no objections to such a report, the district court determines whether the recommendations are clearly erroneous or contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989). Neither Party filed objections to the Report and Recommendation.

Having reviewed the filings and the Report and Recommendation and having found no clear error, the Court hereby **ADOPTS** the Report and Recommendation (Dkt. No. 38) as the findings of the Court. Defendant's Motion to Suppress Statements (Dkt. No. 30) is **DENIED**.

It is so **ORDERED**.

**SIGNED** December 23, 2018.

  
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Marina Garcia Marmolejo  
United States District Judge